

R.C.S. NO. 111/2019

ORDER BELOW EXH. 71.

(Shri. Avinash Sundarlal Bhalerao Vs. Smt. Chandrabhaga Vitthal More)

The present application is filed by defendant no. 6 and 7 to vacate status quo order against them.

2. It is the contention of defendants that the suit is for declaration and injunction on 05/10/2019 plaintiff had file status quo application on 11/02/2020, the order has been passed that parties to maintain status quo till order on Exh. 5 against defendants no. 6 and 7. However, plaintiff did not take steps, neglected to comply order below Exh. 58 within limitation. The plaintiff deliberately caused delay in proceeding. Due to delay defendants cannot enjoy their property. Hence, prayed to vacate status quo against them.

3. The plaintiff file say on application itself that inspite of due steps taken by plaintiff summons have not serve to some of the defendants. The interim application is against all defendants. Defendants no. 6 and 7 were to change nature of the property. Therefore, Hon'ble court passed order for status quo. Due to Covid 19 hearing has been prolonge. Plaintiff has not caused deliberate delay. Hence, prayed to reject an application.

4. Heard both parties. On perusal of record it clears that the interim application is against defendants no. 1 to 18. All steps against defendants no. 1 to 18 have been completed. Both parties are free to argue on interim application on next date. The defendants have not shown reason to vacate the status quo given by my predecessor on Exh. 54. Therefore, there is no substance in

application. Hence, following order is passed.

ORDER

1. Application (Exh. 71) is hereby rejected.

Saswad.

Date : 28/06/2024

(Mrs. S. K. Deshmukh)
Jt. Civil Judge, Jr. Dn., Saswad.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/Order.

(a)	Name of the Stenographer	:	Mr. P. V. Satpute
(b)	Court	:	Mrs. S. K. Deshmukh, Jt. Civil Judge, J.D.& J.M.F.C., Saswad.
(c)	Date of Judgment /Order	:	28/06/2024
(d)	Judgment /Order signed by P.O. on	:	03/07/2024
(e)	Judgment /Order uploaded on	:	04/07/2024